

BEFORE THE
STATE BOARD OF REGISTRATION FOR THE HEALING ARTS
STATE OF MISSOURI

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS,

Petitioner,

v.

JOHN CHARLES BARR, D.O.,

Respondent.

Case No. 2003-003302

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

This matter appears before the State Board of Registration for the Healing Arts pursuant to a Complaint filed in the above-styled case. Pursuant to a Notice of Automatic Revocation Hearing, a hearing was held on Friday, April 16, 2004, at the Holiday Inn Sunspree Resort, Lake Ozark, Missouri. The Board was represented by Assistant Attorney General William Vanderpool. Assistant Attorney General Kristi Flint served as the Board's legal advisor. Respondent was not present for the hearing and was not represented by legal counsel. During the hearing, the Board reviewed all evidence presented. The Board considered all exhibits and evidence presented in reaching its decision.

FINDINGS OF FACT

1. The State Board of Registration for the Healing Arts is an entity created under § 334.120, RSMo, for the purpose of enforcing the provisions of Chapter 334, RSMo, by registering, licensing, and supervising all physicians and surgeons.

2. Section 334.103, RSMo 2000, states, in pertinent part:

1. The license of a physician shall be automatically revoked at such time as the final trial proceedings are concluded whereby a physician has been adjudicated and found guilty, or has entered a plea of guilty or *nolo contendere*, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of a physician, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license of a physician to practice the healing arts in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such physician shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

3. John Charles Barr, D.O., (hereinafter "Respondent") is licensed by the Board, license number R6945. Respondent's registration expired on January 31, 2004, and he has not renewed his license.

4. On or about April 9, 2004, Respondent was served with Notice of Automatic Revocation Hearing by certified mail, return receipt #7002 2030 0005 4701 5422.

Count I

1. Respondent was licensed to practice medicine by the Texas State Board of Medical Examiners, license number J4704.

2. On or about June 6, 2003, the Texas State Board of Medical Examiners ("Texas Board") revoked Respondent's license to practice medicine in Texas.

3. The Texas Board's Order revoking Respondent's license to practice is a final and unconditional revocation of Respondent's license to practice the healing arts in Texas.

Count II

1. On or about December 11, 2002, Respondent pled guilty to second degree assault with a deadly weapon in the case *State of Texas v. John Charles Barr*, case number 219-80130-02, in the 219th Judicial District Court, Collin County, Texas.

2. The felony offense of second degree assault with a deadly weapon is a felony offense reasonably related to the qualifications, functions, or duties of a physician.

3. The felony offense of second degree assault with a deadly weapon is a felony offense involving moral turpitude.

4. The felony offense of second degree assault with a deadly weapon is a felony offense that involves an act of violence.

CONCLUSIONS OF LAW

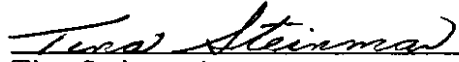
1. Revocation is authorized in this State pursuant to § 334.103, RSMo.
2. The findings of fact as set forth herein show cause for this Board to revoke Respondent's license pursuant to §334.103, RSMo.

DECISION AND DISCIPLINARY ORDER

Pursuant to the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that upon the effective date of this Order, Respondent's license, number R6945, to practice the Healing Arts in the State of Missouri shall be and is hereby REVOKED. Respondent may not apply for reinstatement of his license for a period of seven (7) years. Respondent is directed to immediately return to the Board his wall-hanging certificate, license and pocket card, and all other indicia of licensure.

IT IS SO ORDERED, effective this 23 day of April, 2004.

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS


Tina Steinman
Executive Director